

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOHN DOE

Plaintiff,

vs.

NEW YORK UNIVERSITY

Defendant.

Honorable Gregory H. Woods, U.S.D.J.

Civil Action No: 1:20-cv-01343 (GHW)

**DECLARATION OF WILLIAM
MILLER IN SUPPORT OF
DEFENDANT’S MOTION TO
DISMISS THE COMPLAINT**

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I, William Miller, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am admitted to practice before this Court and am an Associate General Counsel for Defendant, New York University (“NYU”).

2. I respectfully submit this declaration in support of NYU’s Memorandum of Law in Support of Defendant’s Motion to Dismiss.¹

3. Attached to this Declaration as Exhibit A is a true and correct copy of NYU’s procedures for “Reporting, Investigating, And Resolving Sexual Misconduct, Relationship Violence, and Stalking – Complaints Against Students” (the “Procedures”), which are publicly available on NYU’s website.²

4. Attached to this Declaration as Exhibit B is a true and correct copy of the Investigation Summary Report (the “ISR”) (Redacted), dated October 23, 2018. Attachment B to Exhibit B contains audio and video files that could not be redacted (Sealed). NYU provided Plaintiff

¹ NYU has redacted the names and likenesses of Plaintiff, the victim of his alleged sexual misconduct, all witnesses, and other students in the exhibits discussed herein pursuant to this Court’s May 1, 2020 Order granting Plaintiff Leave to Proceed Under Pseudonym (Dkt. No. 19) (the “Order”). NYU designates such documents herein as “(Redacted).” NYU has also submitted unredacted versions of these exhibits to the Court by CD and to opposing counsel electronically via ShareFile. Because audio and video files could not be redacted, they have been filed under seal pursuant to the Order and the May 7, 2020 email sent by the Chambers of Hon. Gregory H. Woods to counsel for both parties. NYU designates such files herein as “(Sealed).”

² See <https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/test-reporting--investigating--and-resolving-sexual-misconduct--rela.html> (last visited on May 7, 2020).

with the ISR with all attachments prior to his hearing on December 10, 2018 ("Hearing").

5. Attached to this Declaration as Exhibit C is a true and correct copy of the audio recording of the Hearing (Sealed).

6. Attached to this Declaration as Exhibit D is a true and correct copy of the Hearing Decision from December 2018 (Redacted).

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



William Miller

Executed on the 11th day of May, 2020.